

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**AVIS GRIFFIN AND KURLENE GRAY,
Plaintiffs,**

v.

**UPPER MERION TOWNSHIP,
MUNICIPALITY OF NORRISTOWN,
AND SMITH OWNER LLC,
Defendants.**

CIVIL ACTION

NO. 23-3020

ORDER

AND NOW, this 10th day of October, 2023, upon consideration of Defendants' Motions to Dismiss for Failure to State a Claim (ECF Nos. 3, 4, 10), and Plaintiffs' responses thereto (ECF Nos. 13, 14, 15), it is hereby **ORDERED** that Defendants' motions are **GRANTED**. With respect to Defendant Smith Owner LLC, Plaintiffs' claims are **DISMISSED WITH PREJUDICE**. With respect to Defendants Upper Merion Township and Municipality of Norristown, Plaintiffs' claim for intrusion upon seclusion is **DISMISSED WITH PREJUDICE**. Plaintiffs' remaining claims against these defendants are **DISMISSED WITHOUT PREJUDICE**.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.